

EXHIBIT D

From: [Innessa M. Huot](#)
To: [Nicole E. Price](#); [Alex J. Hartzband](#)
Cc: [Mary Ellen Donnelly](#)
Subject: RE: Ruderman v. Law Office of Yuriy Prakhin - Subpoena
Date: Friday, February 19, 2021 4:56:08 PM

Nicole,

As an initial matter, we would like to remind you of Defendants' continued obligation to produce any records obtained in response to Defendants' subpoenas and HIPAA requests as they are generated/provided to Defendants. Your comment about Defendants not being obligated to produce T-Mobile's response to your subpoena is inaccurate and Defendants' withholding such records is troubling.

To date no records at all have been produced in response to the various subpoenas Defendants issued to T-Mobile and Plaintiff's prior law firm – Mallilo and Grossman. Likewise, Defendants have yet to produce any records which they presumably received in response to the HIPAA forms which Plaintiff executed.

Your note about AT&T being in possession of the records you seek is not accurate. Since you will not provide the communications you are legally obligated to provide to us, we have reached out directly to both carriers. We expect a response from them on Monday and will confer with the client and respond to your request promptly thereafter – likely by end of day on Tuesday.

Best,
Innessa

From: Nicole E. Price <nprice@putneylaw.com>
Sent: Thursday, February 18, 2021 8:47 AM
To: Innessa M. Huot <ihuot@faruqilaw.com>; Alex J. Hartzband <ahartzband@faruqilaw.com>
Cc: Mary Ellen Donnelly <MDonnelly@putneylaw.com>
Subject: Re: Ruderman v. Law Office of Yuriy Prakhin - Subpoena

Innessa,

We have delayed responding to your email as we were engaged in further communications with T-Mobile. Now that we have confirmed with T-Mobile that the information we were originally provided is correct, we once again request that Plaintiff consent to Defendants' service of the same subpoena on AT&T.

On February 5, 2021, Defendants received a response from T-Mobile regarding their subpoena. That same day, we contacted T-Mobile's Legal Department. We were informed by the Legal Department that T-Mobile was a service provider for the cellphone number 646-472-6642 ("Plaintiff's cellphone"). However, T-Mobile informed us that AT&T was the service provider for Plaintiff's cellphone in 2018 and the requested records are in the possession of AT&T. Accordingly, on February 5, 2021, we contacted you requesting Plaintiff's consent to the service of the same subpoena on AT&T. Since February 5, 2021,

and receiving your February 11, 2021, email, we have engaged in further communications with T-Mobile and confirmed that this information is correct.

At no point have we represented that “records were ever transferred to AT&T” as you stated. While unclear where this misunderstanding originated, this issue is irrelevant to the matter at hand.

Defendants served a subpoena on T-Mobile prior to the close of fact discovery for records regarding Plaintiff’s cellphone after receiving no documentation/communications from Plaintiff in response to their numerous discovery demands for such information. Plaintiff has represented that she has no access to any of her 2018 cellphone records or data because she allegedly lost her cellphone. Defendants were informed on February 5, 2021, and have re-confirmed since then, that AT&T is in possession of the necessary and relevant records that Defendants requested.

Defendants have provided sufficient and accurate information regarding their communications with T-Mobile about their subpoena. Plaintiff is not entitled to, nor should require, any documentation from Defendants to consent to the service of the same subpoena on AT&T.

Please provide a response by 5p.m. on Friday, February 19, 2021.

Thank you,
Nicole

--

Nicole Elizabeth Price

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From: Innessa M. Huot <ihuot@faruqilaw.com>

Sent: Thursday, February 11, 2021 5:57 PM

To: Nicole E. Price <nprice@putneylaw.com>; Alex J. Hartzband <ahartzband@faruqilaw.com>

Cc: Mary Ellen Donnelly <MDonnelly@putneylaw.com>

Subject: RE: Ruderman v. Law Office of Yuriy Prakhin - Subpoena

Hi Nicole, on February 8th we requested a copy of the correspondence you received from T-Mobile regarding possession of Plaintiff's records being transferred to AT&T. We need to review this correspondence and confer with the client about it before responding to your request. To date, you have not sent us this correspondence or any further information about your representation regarding T-Mobile's response to Defendants' subpoena.

We have contacted T-Mobile's legal department who, upon reviewing Plaintiff's file, adamantly denied sending any such communication or making any such representation. T-Mobile stated unequivocally that this information is false and that no records were ever transferred to AT&T. As such, T-Mobile requested that we send them a copy of the communication you referenced so that they can investigate the same. We need to understand exactly what information T-Mobile provided in response to the subpoena before deciding our position on Defendants' proposed subpoena of AT&T. If you send us the communication, we can review, consult with Ms. Ruderman, and provide our position in short order.

Please send us the communication you received from T-Mobile and we'll get back to you with our position as soon as possible.

Thank you,
Innessa

From: Nicole E. Price <nprice@putneylaw.com>

Sent: Thursday, February 11, 2021 11:02 AM

To: Innessa M. Huot <ihuot@faruqilaw.com>; Alex J. Hartzband <ahartzband@faruqilaw.com>

Cc: Mary Ellen Donnelly <MDonnelly@putneylaw.com>

Subject: Re: Ruderman v. Law Office of Yuriy Prakhin - Subpoena

Innessa,

I am following up about Plaintiff's consent to the service of the same subpoena on AT&T. Please provide a response today.

Thank you,
Nicole

--

Nicole Elizabeth Price

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From: Innessa M. Huot <ihuot@faruqilaw.com>

Sent: Monday, February 8, 2021 9:16 AM

To: Nicole E. Price <nprice@putneylaw.com>; Alex J. Hartzband <ahartzband@faruqilaw.com>

Cc: Mary Ellen Donnelly <MDonnelly@putneylaw.com>

Subject: RE: Ruderman v. Law Office of Yuriy Prakhin - Subpoena

Hi Nicole, please send to us the communication you received from T-Mobile. We will confer with the client and get back to you tomorrow.

Thank you,
Innessa

From: Nicole E. Price <nprice@putneylaw.com>

Sent: Friday, February 5, 2021 4:07 PM

To: Innessa M. Huot <ihuot@faruqilaw.com>; Alex J. Hartzband <ahartzband@faruqilaw.com>

Cc: Mary Ellen Donnelly <MDonnelly@putneylaw.com>

Subject: Ruderman v. Law Office of Yuriy Prakhin - Subpoena

Good afternoon,

This morning we received a response from T-Mobile concerning Defendants' subpoena. T-Mobile indicated that it is no longer the provider for Plaintiff's cellphone and the records we requested from 2018 are in the possession of AT&T. As Defendants served their subpoena prior to the discovery deadline and have now been informed that another entity possesses these relevant and necessary records, Defendants are seeking to serve the same subpoena on AT&T.

Please advise if Plaintiff consents to the service of the same subpoena on AT&T.

Thank you,
Nicole

--

Nicole Elizabeth Price

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